

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JACKIE STAPLETON,

Plaintiff,

v.

UNITED HEALTHCARE BENEFITS PLAN  
OF CALIFORNIA,

Defendant.

Case No. 1:25-cv-00351-JLT-SAB

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
CASE

On October 8, 2024, Jackie Stapleton, who is proceeding *pro se*, commenced this action in California Superior Court, San Joaquin County, and on December 26, 2024, Defendant removed the action to this Court. (Doc. 1.) As relevant here, on August 21, 2025, the Court adopted findings and recommendations from the assigned magistrate judge recommending denying Plaintiff's motion for remand and granting Defendant's motion to dismiss for failure to state a claim. (Doc. 29.) The Court gave Plaintiff 30 days to amend the complaint and advised her "that failure to file an amended complaint will result in dismissal of this action for failure to prosecute and failure to obey the Court's order." (*Id.*) That deadline passed without Plaintiff filing any document with the Court.

On September 24, 2025, the assigned magistrate judge issued findings and recommendations that this case be dismissed without prejudice for failure to prosecute and failure

1 to comply with the Court’s August 21, 2025 order. (Doc. 30.)<sup>1</sup> The Court notified Plaintiff that  
2 any objections were due within 14 days and advised her that the “failure to file objections within  
3 the specified time may result in the waiver of rights on appeal.” (*Id.* at 4, citing *Wilkerson v.*  
4 *Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to  
5 do so has passed.

6 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this case.  
7 Having carefully reviewed the matter, the Court concludes the findings and recommendations are  
8 supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 9 1. The findings and recommendations (Doc. 30) filed September 24, 2024, is  
10 **ADOPTED IN FULL**.
- 11 2. This matter is **DISMISSED** without prejudice for failure to prosecute and failure to  
12 comply with a court order.
- 13 3. The Clerk of the Court is **DIRECTED** to enter judgment in accordance with this  
14 order.

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16 IT IS SO ORDERED.

17 Dated: **October 15, 2025**

  
UNITED STATES DISTRICT JUDGE

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28 <sup>1</sup> Though Plaintiff is proceeding pro se, she requested and was given permission to participate in electronic filing.  
(Doc. 15.)